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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,222	02/03/2006	Margaretha Maria De Kok-Van Breemen	NL030989	9582
24737 7590 02/22/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER HO, ANTHONY	
			ART UNIT	PAPER NUMBER
			2815	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/567,222

Applicant(s)

DE KOK-VAN BREEMEN ET AL.

Examiner

Anthony Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/3/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on February 3, 2006 was filed after the mailing date of the instant application on February 3, 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

Claim 7 is objected to because of the following informalities: For examination purposes, it should be rewritten as "...further comprising pulsed mode driving means..." or any other appropriate language.

Claim 8 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. It should be in independent form as method of using and should not depend from a product claim.

Claim 8 is objected to because of the following informalities: A claim cannot depend upon itself. Appropriate correction is required.

Claims 4-7 are objected to because of the following informalities: Claims should be rewritten to fix grammatical error: "The LED of claim 1..." instead of "The LED of any one of claims 1..." Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 5 recites the limitation "pH" in line 2 of the claims. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. First, the method steps are vague, indefinite, and unclear. Secondly, there is no stated standard of efficiency; therefore, the claim is vague and indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Burroughes et al (US Patent 6,558,219).

In re claims 1 and 9, Burroughes et al discloses a light emitting diode comprising layers of an anode, an acidic hole conducting-injecting material, a light-emitting polymer, and a cathode, characterized in that the hole conducting material comprises a poly(3,4-ethylenedioxythiophene poly(styrenesulfonate) (PEDOT), which is obtainable by at least

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partially neutralizing the PEDOT with an anion that is comprised or formed from a sodium or potassium compound, and the light emitting material comprises a light emitting p-arylene-vinylene polymer (PAV) and method for increasing the efficiency (column 1, line 60 – column 2, line 33; column 5, line 61 – column 6, line 8).

Furthermore, regardless of the method used to make the final device (claims 1-5, and 9), the final structure is anticipated. See *In re Marosi*, 710 F.2d 799, 218 USPQ 289 (Fed. Cir. 1983) and *In re Thorpe*, 777 F.2d 695, 227 USPQ 964 (Fed. Cir. 1985). See also MPEP 2113.

In re claim 2, notwithstanding the product-by-process case law recited above, Burroughes et al discloses the compound is sodium or potassium hydroxide, nitrate, carbonate, or hydrogen carbonate (entire document).

In re claim 4, notwithstanding the product-by-process case law recited above, Burroughes et al discloses the pH is greater than 3 (column 14, line 40).

In re claim 6, Burroughes et al discloses the PAV is a poly(p-phenylene vinylene) (column 6).

In re claims 7 and 8, Burroughes et al discloses pulsed mode driving means adapted for a voltage of at least 10V, preferable at least 15V and method of the same (Figure 23; Table 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cao (US Patent 6,284,435) teaches electrically active polymer compositions and their use in efficient, low operating voltage, polymer light emitting diodes with air-stable cathodes. Spreitzer et al (US Patent 6,458,909) teaches aryl-substituted poly(p-arylene-vinylenes), process for their preparation and their use in electroluminescence components. Yamagata et al (US Application Publication 2001/0051207) teaches method of manufacturing a light-emitting device. Antoniadis et al (US Patent 6,366,017) teaches organic light emitting diodes with distributed Bragg reflector. Buechel et al (US Application Publication 2002/0179900) teaches LED comprising a conductive transparent polymer layer with low sulfate and high metal ion content. Nathan et al (US Application Publication 2003/0219923) teaches method and system for fabricating electronics.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ho whose telephone number is 571-270-1432. The examiner can normally be reached on M-Th: 8:30AM-7:00PM EST.

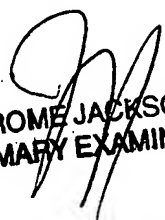
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AH
February 16, 2007



JEROME JACKSON
PRIMARY EXAMINER